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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MELISSA HUTCHISON aka PHOENIX  
 MARIE, an individual,

Plaintiff,

v.

ETHICAL CAPITAL PARTNERS LTD., a  
 foreign entity; AYLO PREMIUM LTD., a  
 foreign corporation; DM PRODUCTIONS  
 LTD., a foreign entity; DIGITAL  
 PLAYGROUND, a foreign entity; MIND  
 GEEK USA INCORPORATED, a foreign  
 entity; MG PREMIUM LTD, a foreign  
 entity; DM PRODUCTIONS, a foreign  
 entity; DIGITAL PLAYGROUND, a foreign  
 entity; DANNY MARTIN aka DANNY D,  
 an individual; FRANK PETOSA an  
 individual; RYAN HOGAN, an individual;  
 MICHAEL WOODSIDE, an individual; and  
 DOES 1 through 50.

Defendants.

Case No.: 2:24-CV-00673-GMN-BNW

**STIPULATION AND ORDER  
 EXTENDING PLAINTIFF'S  
 SECOND AMENDED COMPLAINT**

**(THIRD REQUEST)**

Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchison aka Phoenix Marie  
 Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchison aka Phoenix Marie  
 ("Plaintiff") and defendant Aylo Premium Ltd. ("Aylo"), by and through their attorneys, hereby  
 agree and stipulate to the following:

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1. On October 31, 2024, the Court granted Defendants Frank Petosa, Michael Woodside, and Ryan Hogan (the “Removing Defendants”) motion to dismiss with prejudice. ECF No. 43. In the same order, the Court granted Aylo’s motion to dismiss without prejudice. The Court ordered Plaintiff to file an amended complaint within 21 days from the date of its order (e.g., November 21, 2024) and include any jurisdictional facts Plaintiff has against Aylo.

2. The Parties have met and conferred and stipulate and agree that good cause exists for the Court to extend the time for upcoming filings due to personal issues.

3. First, the Parties stipulate and agree that Plaintiff shall have until December 19, 2024, to file her Second Amended Complaint.

4. Second, the Parties stipulate and agree that Aylo shall have until February 12, 2025 to file a responsive pleading.

5. Finally, the Parties stipulate and agree that a joint discovery plan and scheduling order shall be submitted by March 12, 2025.

6. This is the third request to extend these deadlines and Plaintiff will not seek another extension of time to file her amended pleading.

7. These requests for extensions of time are not intended to cause any delay or prejudice any party.

Dated this 12<sup>th</sup> day of December 2024.

Dated this 12<sup>th</sup> day of December 2024.

**KERR SIMPSON ATTORNEYS AT LAW**

**MCDONALD CARANO LLP**

By: /s/ George E. Robinson  
 P. Sterling Kerr, Esq. (NSBN 3978)  
 George E. Robinson (NSBN 9667)  
 2900 W. Horizon Ridge Pkwy. Suite 200  
 Henderson, Nevada 89052  
*Attorneys for Plaintiff Melissa Hutchison  
 aka Phoenix Marie*

By: /s/ John Fortin  
 Rory T. Kay (NSBN 12416)  
 John A. Fortin (NSBN 15221)  
 2300 West Sahara Avenue, Suite 1200  
 Las Vegas, Nevada 89102  
*Attorneys for Defendant Aylo Premium Ltd.*

**IT IS SO ORDERED.**

  
 UNITED STATES MAGISTRATE JUDGE

DATED: 12/16/2024

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**From:** John A. Fortin  
**To:** Jennifer Hogan; Rory T. Kay; Leah Jennings; Kimberly Kirn  
**Cc:** George Robinson; No Scrub  
**Subject:** RE: Extension to file Amended Complaint  
**Date:** Thursday, December 12, 2024 4:42:51 PM  
**Attachments:** image001.png  
3rd Stip to Extend 2nd Amended Complaint MC Edits - version 1.doc

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Hi Jennifer, I made a slight redline edit to paragraph 6 to detail what George told Rory and I earlier, that this would be the last extension. If this edit is acceptable, you may affix my e-signature and file.

**John Fortin** | Attorney



**P:** 702.873.4100 | **E:** jfortin@mcdonaldcarano.com

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**From:** Jennifer Hogan <jennifer@kerrsimpsonlaw.com>  
**Sent:** Thursday, December 12, 2024 3:57 PM  
**To:** John A. Fortin <jfortin@mcdonaldcarano.com>; Rory T. Kay <rkay@mcdonaldcarano.com>; Leah Jennings <ljennings@mcdonaldcarano.com>; Kimberly Kirn <kkirn@mcdonaldcarano.com>  
**Cc:** George Robinson <george@kerrsimpsonlaw.com>  
**Subject:** Extension to file Amended Complaint

Let me know if this works for you and if I can e-sign your signature.

Thank you,

*Jennifer Hogan, Paralegal*

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